



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,775	10/16/2001	Bijan K. Amini	EMT-17	6682

26328 7590 10/03/2002

LAW OFFICES OF DAVID MCEWING
4582 KINGWOOD DRIVE
BOX 118
KINGWOOD, TX 77345

EXAMINER

ZAVERI, SUBHASH

ART UNIT

PAPER NUMBER

2862

DATE MAILED: 10/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/981,775	AMINI ET AL.
	Examiner Subhash A Zaveri	Art Unit 2862

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 16 October 2001.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-9 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) _____ is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ .
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) <input type="checkbox"/> Other: _____ .

DETAILED ACTION

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
2. This application has been filed with informal drawings that are acceptable for examination purposes only. Formal drawing will be required when the application is allowed.
3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35U.S.C. 102((e), f) or (g) prior art under 35 U.S.C. 103(a).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1-9** are rejected under 35 U.S.C. 102 (b) as anticipated by Martin et al. (US 5283520). The claimed invention reads on Martin et al as follows:

The method claims 1-4 and 6-9, recited for using the apparatus in claim 5 is use for the apparatus of Martin et al. and are rejected on the same grounds. It would find that the apparatus of Martin et al. operates in the functional manner claimed by applicant.

With reference to claim 5, Martin et al. disclose an apparatus for determining thickness of an apparatus for determining the thickness of a ferromagnetic Material 34 of Figs 1-11. having known conductivity and permeability comprising:

a transmitter 30 of Figs.1-10 for engaging a constant signal E of Figs.2-10 with the ferromagnetic material for creating a changed signal of Figs.2-11;

a saturation device 406 of Fig.10 for generating a saturation signal s of Fig.2-10 over a range of currents I of Fig.6 for engagement with the ferromagnetic material;

a receiver 30c of Fig.10 for detecting the changed signal as the saturation signal is varied over the range of currents as shown in Figs.5-

11, such that the relationship between the changed signal and the saturation signal is determined, and the thickness as shown in Figs. 7-8 of the material based upon the relationship is determined as shown in Figs. 2-11 (Column 13-14, line 1-68).

Prior Art cited

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Montgomery et al. (US 6445187) is cited to show a system for measuring magnetic fields for well casing.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Subhash Zaveri whose telephone number is (703) 305 1972. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner supervisor, Edward Lefkowitz can be reached on (703) 305-4816. The faxes phone number for this group is (703) 305-3432.

Any inquiry of general nature or relating to the status of this application should be directed to the Customer Service at (703) 308-0596.


Subhash Zaveri
Patent Examiner
Tech Center 2862
September 25, 2002.


EDWARD LEFKOWITZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800